



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
-----------------	-------------	----------------------	---------------------

09/179,290 10/27/98 CUIJPERS

M PHN-16.580

EXAMINER

LM31/0728

GREGORY L THORNE
U S PHILIPS CORPORATION
580 WHITE PLAINS ROAD
TARRYTOWN NY 10591

ALAVI, A

ART UNIT

PAPER NUMBER

2721

DATE MAILED:

07/28/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/179,290

Applicant(s)

CUIJPERS, MAURICE J.M.

Examiner

Amir Alavi

Art Unit

2721

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- 1) ☒ Responsive to communication(s) filed on 27 October 1998.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☒ All b) ☐ Some * c) ☐ None of the CERTIFIED copies of the priority documents have been:
1. ☒ received.
2. ☐ received in Application No. (Series Code / Serial Number) _____.
3. ☐ received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 18) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

Claims 3-5 & 12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 3 & 12 are rejected because, it's not clear what is meant by " image property is non-extreme".

Claim 4 & 5 are rejected because, they are dependent upon other already rejected claims.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Matsumoto et al. (U.S. patent 5,606,632) .

Regarding claim 1, Matsumoto et al. disclose a method of generating image values of an output image, the method comprising the steps of:

Defining a subdivision of the output image into regions of image locations (see lines 15-58, column 1; FIGS. 1 & 8 also the abstract),

Providing a color look-up table (see lines 15-58, column 1; FIGS. 1 & 8 also the abstract),

Providing a respective set of references to the color look-up table for each region (see lines 15-58, column 1; FIGS. 1 & 8 also the abstract),

Providing a pixel map comprising a selection code for each image location (see lines 15-58, column 1; FIGS. 1 & 8 also the abstract),

Selecting a particular reference to the color look-up table for a particular image location from the particular set provided for the region to which the particular image location belongs, by using the selection code as a pointer in that particular set (see lines 15-58, column 1; FIGS. 1 & 8 also the abstract),

Wherein the pixel map is constructed by grouping the image locations in each region into groups according to a similarity of color values in a source image, the selection code

Identifying the group to which the image location belongs among the groups for the region (see lines 15-58, column 1; FIGS. 1 & 8 also the abstract),

Characterized in that the color look-u table is provided for the source image, all color values of the source image being in the color look-up table, the reference used for the image locations in a particular group being constructed from at least one reference to the color look-up table which defines the color value in the source image for at least one image location in the particular group. (See lines 15-58, column 1; FIGS. 1 & 8 also the abstract)

Regarding claim 2, Matsumoto et al. disclose a method according to Claim 1 wherein the reference used for the image locations in the particular group is constructed by selecting a representative image location from the particular group and taking the reference defining the color value for the representative image location in the source image. (See lines 15-58, column 1; FIGS. 1 & 8 also the abstract)

Regarding claim 3, Matsumoto et al. disclose a method according to Claim 2, wherein the representative image location is selected by determining a image property for each image location in the particular group from the color values in the source image for these image

Locations in the particular group, and selecting as representative image location an image location for which the image property is non-extreme among the image properties of the image locations in the particular group. (See lines 15-58, column 1; FIGS. 1 & 8 also the abstract).

Regarding claim 4, Matsumoto et al. disclose a method according to Claim 3, wherein the representative image location is an image location which has a median value of the image property among the image properties of the image locations in the particular group. (See lines 15-58, column 1; FIGS. 1 & 8 also the abstract).

Regarding claim 5, Matsumoto et al. disclose a method according to Claim 3, wherein the image property is the luminance of the color value in the source image. (See lines 15-58, column 1; FIGS. 1 & 8 also the abstract).

Regarding claim 6, Matsumoto et al. disclose a method according to claim 1, wherein the output image represents a pyramid of levels of increasingly higher resolution versions of a basic image, each level being subdivided into regions, the color look-up table being common for all levels, each level being associated, with a respective pixel map, the particular reference to the color look-up table being selected for a particular image location at a particular level, from the particular set provided for the region for that level according to the pixel map for that level. (See lines 15-58, column 1; FIGS. 1 & 8 also the abstract).

Regarding claim 7, Matsumoto et al. disclose a method according to Claim 6, used for texture mapping in computer graphics, wherein the levels are different resolution levels of a mipmap. (See lines 15-58, column 1; FIGS. 1 & 8 also the abstract).

Regarding claims 8-10, arguments analogous to those presented for claim 1 are applicable.

Regarding claims 11 & 12, arguments analogous to those presented for claims 2 & 3, respectively are applicable.

Other prior art cited

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Harrington (U. S. patent 5,684,895) is pertinent as teaching method for decoding a compressed image.

Fujiwara (U. S. patent 5,748,771) is pertinent as teaching look-up table forming method and device.

Carroll (U. S. patent 5,058,174) is pertinent as teaching system and method for generating a pattern from an image.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Amir Alavi* whose telephone number is (703) 306-5913.

The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 5:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo Boudreau, can be reached at (703)306-5406.

Any response to this action should be mailed to:

Assistant Commissioner for Patents
Washington, D.C. 20231

Or faxed to:

(703) 308-9051, or (703) 308-9052 (for *formal* communications; please mark "EXPEDITED PROCEDURE")

Or:

(703) 306-5406 (for *informal* or *draft* communications, please label "PROPOSED" or "DRAFT")

Hand delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should be directed to the Group Receptionist whose telephone number is (703)305-3900.

Amir Alavi
Patent Examiner
Group Art Unit 2721
July 28, 2000

Dr. B. Tary
DR. B. TARY
PATENT EXAMINER
JUL 28 2000
[Signature]